

REMARKS

Reconsideration and allowance in view of the foregoing amendments and following remarks are requested.

Claims 1-3, 5 and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sweatt et al. (U.S. 2002/0105725 A1). Claims 4 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Claim 1 has been amended to include the limitation of claim 4, with original claim 4 being cancelled. The Examiner had indicated that original claim 4 was objected to, but allowable, if rewritten in independent form. Thus, it is believed that claim 1 is now allowable, along with dependent claims 2, 3 and 5-7.

Applicants noted that original claim 1 recited “diffractive gratings” while original dependent claims 2 and 6 recited “reflective gratings.” To resolve this possible inconsistency, claims 1, 2 and 6 have been amended to remove the terms “reflective” and “diffractive” when used to describe a grating. Support for this amendment can be found in the present specification at paragraph 0004, wherein both mirrors and gratings are defined as diffractive sub-elements.

Claim 8 corresponds to originally filed claims 1 and 7. The Examiner had indicated that original claim 7 was objected to, but allowable, if rewritten in independent form. Thus, it is believed that claim 8 is now allowable, along with dependent claims 9-13.

Claim 14 corresponds to originally filed claims 1 and 6. Applicants respectfully submit that Sweatt et al. do not teach or fairly suggest a grating constituting a diffractive lens because the gratings taught therein are all linear without any focusing capabilities. Paragraph 0071 of Sweatt et al. discloses that the grating is fixed and comprises a number of parallel lines or grooves in a fixed spatial relationship with respect to each other. Thus, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection over the limitation of original claim 6.

Claims 20 and 21 have been added to the instant application. Support for claims 20 and 21 can be found in the instant specification at page 7, lines 23-32 and figure 4. No new matter has been added. Claims 20 and 21 are believed to be allowable over the art of record because the art of record is silent with respect to sub-elements having a curved shape constituting a focusing filter or sub-elements shaped as Fresnel zone plates corresponding to a chosen focal length.

In view of the above remarks, it is believed that the claims satisfy the requirements of the patent statutes and are patentable over the cited art. Reconsideration of the instant application and early notice of allowance are

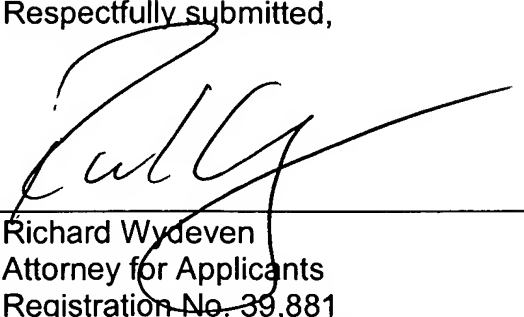
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requested. The Examiner is invited to telephone the undersigned if it is deemed to expedite allowance of the application.

Respectfully submitted,

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By


Richard Wydeven
Attorney for Applicants
Registration No. 39,881
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 800, 1425 K Street, N.W.
Washington, D.C. 20005
Telephone: (202)783-6040